



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Barker et al**

Application No. 10/099,864

Attorney Docket No. 1032-P02467US1

Filed: March 13, 2002

For: PRE-FILLED SAFETY VIAL INJECTOR

Examiner: Maynard, Jennifer

Group Art Unit: 3763

3763 #9
Election
D. Byrne

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TECHNOLOGY CENTER R3700

RESPONSE TO OFFICE ACTION

The Examiner imposed both a restriction requirement between the apparatus claims in claims 1-32 and 54-60 and the method claims in claims 33-53. Furthermore, the Examiner imposed an election requirement between the species in Figs. 1-8, the species in Figs. 9-22 and the embodiment in Figs. 23-30.

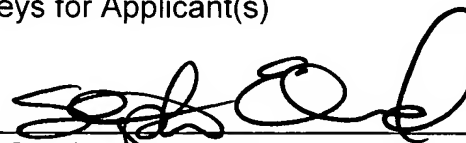
In response to the restriction requirement, Applicants elect the apparatus claims in claims 1-32 and 54-60. In response to the election requirement, Applicants hereby elect the embodiment in Figs., which includes claims 1-32 and 54-60.

In light of the foregoing, Applicant believes that this application is in form for allowance. The Examiner is encouraged to contact Applicant's undersigned attorney if the Examiner believes that issues remain regarding the allowability of this application.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
Attorneys for Applicant(s)

By



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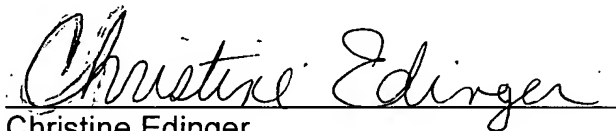
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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Response and accompanying papers are being deposited on **November 6, 2003** with the United States Postal Service as first-class mail in an envelope properly addressed to Commissioner for Patents, Alexandria, VA 22313-1450.

November 6, 2003

Date of Certificate



Christine Edinger